

Municipal Officials and School Collective Bargaining

The Education Reform Act amended MGL Chapter 150E as it relates to collective bargaining with school employees. Though Chapter 150E defines the school committee as the legal “employer” for the purposes of negotiating with school employees, municipal officials should be aware that Chapter 150E allows a town’s chief executive officer to participate and vote as a member of the school committee in collective bargaining. If the town does not have a town manager or administrator, then the chairman of the board of selectmen (or designee) may participate and vote.

In a regional school district, one municipal official represents all member towns. The superintendent must provide a notice to each member town’s chief executive officer or the chair of each board of selectmen, where there is no town administrator or manager, at least 21 days prior to the start of negotiations. The superintendent’s notice designates a time, place and date of a meeting to be held by the regional school district at which the executive officers or select board chairs from the member towns elect one of their own to represent municipal interests in collective bargaining. See Department of Elementary and Secondary Education [Regulation 603 CMR 41.04](#) for further information on the municipal representative in regional school bargaining.

In either a local or regional school district, however, unless the school committee chair appoints the municipal representative to the negotiating subcommittee, the municipal representative does not have a seat at the bargaining table. Rather, the statute allows the municipal representative to participate and vote as a member of the school committee when the committee as a whole takes up the collective bargaining agreement. Nonetheless, the municipal official has the same right to be kept informed about the progress of negotiations as any other committee member.